

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

MICHAEL D. WOODFALL,  
Plaintiff,

v.

STATE OF NEVADA; NYE COUNTY  
COMMISSIONER; NYE COUNTY  
SHERIFF; JOE MCGILL; NYE SHERIFF  
DEPUTY; JOHN DOES 1-10; FIFTH  
JUDICIAL JUSTICE COURT JANE DOES 1-  
10,

Defendants.

Case No.: 2:23-cv-00976-JAD-EJY

**ORDER**

On June 15, 2023, Plaintiff submitted an application to proceed *in forma pauperis* together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1. Plaintiff did not submit his application on the Court's *in forma pauperis* application, which is required under U.S. District Court for the District of Nevada Local Rule LSR 1-1. Local Rule LSR 1-1 states: "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*. The application **must** be made on the form provided by the court and must include a financial affidavit disclosing the applicant's income, assets, expenses, and liabilities." (Emphasis added.) Because Plaintiff did not submit his *in forma pauperis* application on the Court's form, his request to proceed without prepaying fees is denied without prejudice.

The Court will retain Plaintiff's Complaint (ECF No. 1-1), but will not file it until the matter of Plaintiff's *in forma pauperis* application or payment of the filing fee is resolved.

Accordingly, IT IS HEREBY ORDERED that Plaintiff's application to proceed *in forma pauperis* (ECF No. 1) is DENIED without prejudice.

IT IS FURTHER ORDERED that the Clerk of Court must send Plaintiff the approved form application to proceed *in forma pauperis* by a non-prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

1 IT IS FURTHER ORDERED that on or before **July 28, 2023**, Plaintiff must either: (1) file  
2 a fully complete application to proceed *in forma pauperis*, on the correct form, in compliance with  
3 28 U.S.C. § 1915(a) and LSR 1-1; or (2) pay the \$402 fee for filing a civil action (which includes  
4 the \$350 filing fee and the \$52 administrative fee).

5 IT IS FURTHER ORDERED that failure to comply with this Order may result in a  
6 recommendation to dismiss this action without prejudice.

7 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1)  
8 but will not file it at this time.

9 Dated this 28th day of June, 2023.

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12 ELAYNA J. YOUCHAH  
13 UNITED STATES MAGISTRATE JUDGE  
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